



THE ATTORNEY GENERAL
OF TEXAS

JIM MATTOX
ATTORNEY GENERAL

September 18, 1990

Mr. Bob E. Bradley
Executive Director
Texas State Board of Public Accountancy
1033 LaPosada, Suite 340
Austin, Texas 78752-3892

OR90-444

Dear Mr. Bradley:

You ask whether certain information is subject to required public disclosure under the Texas Open Records Act, article 6252-17a, V.T.C.S. Your request was assigned ID# 10077.

The Texas State Board of Public Accountancy (the board) received an open records request for information pertaining to nine named individuals' compliance with the board's mandatory continuing education requirement and any resulting disciplinary actions against those individuals. You contend that the requested information is deemed confidential by section 25 of V.T.C.S. article 41a-1.

You state that of the nine individuals, five have had no complaints against them, two were not licensed with the board at the time of the open records request, and there has been no public hearings for the remainder who have been the subject of complaints. A previous determination of this office, Open Records Decision No. 451 (1986), a copy of which is enclosed, resolves your request. Absent the submission of an individual's written authorization that his or her respective file be released, the requested information, to the extent that it exists, is made confidential by article 41a-1 and must therefore be withheld pursuant to section 3(a)(1) of the Open Records Act.

Because case law and prior published open records decisions resolve your request, we are resolving this matter with this informal letter ruling rather than with a

Mr. Bob E. Bradley - Page 2 (OR90-444)

published open records decision. If you have questions about this ruling, please refer to OR90-444.

Yours very truly,



Susan Garrison
Assistant Attorney General
Opinion Committee

SG/RWP/le

Ref.: ID# 10077

Enclosures: Open Records Decision No. 451

cc: Robert M. Hoffman
Vial, Hamilton, Koch & Knox
1717 Main Street, Suite 4400
Dallas, Texas 75201